



Missouri Department of Natural Resources

MINUTES

MISSOURI SOIL AND WATER DISTRICTS COMMISSION DNR CONFERENCE CENTER JEFFERSON CITY, MISSOURI NOVEMBER 3, 2006

COMMISSION MEMBERS PRESENT: Kathryn Braden, Elizabeth Brown, Leon Kreisler, Baughn Merideth

EX-OFFICIO MEMBERS: DEAN THOMAS PAYNE, UNIV. OF MISSOURI: David Baker; JOHN HOSKINS, DEPT. OF CONSERVATION: Brad McCord; FRED FERRELL, DEPT. OF AGRICULTURE: Matt Boatright; DOYLE CHILDERS, DEPT OF NATURAL RESOURCES: Mike Wells

ADVISORY MEMBERS PRESENT: SOIL & WATER CONSERVATION PROGRAM: Sarah Fast; NRCS: Roger Hansen; MASWCD: Steve Oetting

STAFF MEMBERS PRESENT: Davin Althoff, Jessica Bahnsen, Milt Barr, Kurt Boeckmann, Jim Boschert, Allan Clarke, Chris Evans, Noland Farmer, Tricia Jackson, Wyn Kelley, Joyce Luebbering, Colleen Meredith, Theresa Mueller, James Plassmeyer, Josh Poynor, Jeremy Redden, Ron Redden, Kevin Scherr, Judy Stinson, Ken Struempf, Cody Tebbenkamp, Alex Tuttle, Chris Wieberg, Bill Wilson

OTHERS PRESENT: DISTRICTS: Cape Girardeau: Gerald Bryan, Stan Murray; **Christian:** Michelle Lee; **Jefferson:** George Engelbach; **Montgomery:** Gayle Adams, Harry Cope, Tom Kremer, Bob Ridgley, Brenda Van Booven, Ann Whitehead; **Stone:** Krissy Chisam; **Warren:** Chris Merritt, Polly Sachs; **STATE OF MISSOURI:** ATTORNEY GENERAL'S OFFICE: Tim Duggan; DEPARTMENT OF NATURAL RESOURCES DIRECTOR'S OFFICE: Bill Foster; **OTHER:** Glen Birk, NATURAL RESOURCES CONSERVATION SERVICE: Dennis Potter; UNIVERSITY OF MISSOURI: John Bowders, Bryan Mayhan

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A. CALL TO ORDER

Chairman Elizabeth Brown called the meeting to order at the DNR Conference Center, in Jefferson City, Missouri, in the Bennett Springs and Roaring River meeting rooms at 8:08 a.m.

B. MINUTES OF THE LAST MEETING

Baughn Merideth made a motion to approve the minutes of the September 13, 2006 commission meeting as mailed. Kathryn Braden seconded the motion. When asked by the chair, Kathryn Braden, Leon Kreisler, Baughn Merideth, and Elizabeth Brown voted in favor of the motion and the motion carried unanimously

Mike Wells introduced Mr. Bill Foster who has been detailed to the Soil and Water Conservation Program. Mr. Wells stated that Mr. Foster was from the director's office, and has been rotating through some of the programs in the department looking at business processes. He indicated that Mr. Foster would be visiting some of the district offices; he will visit the soil scientists in the field, etc.

Mr. Foster stated he was pleased to be assigned to the Soil and Water Conservation Program. He stated he had been with the department for a year and a half and this was his third program. He indicated that he has been assigned to the most important programs in the department. He proceeded to provide the commission with some background on himself.

C. PLANNING

1. Soil Science Update

Wyn Kelley presented an update on Soil Science activities across the state. He stated that updating the soil survey was a big job that takes a lot of people with various skills and talents. He stated that the Missouri cooperative soil survey is a partnership with the Natural Resources Conservation Service (NRCS), Department of Natural Resources (DNR), and the University of Missouri. This partnership is needed to continue the work of updating the soil survey data to provide the best information for programs and practices. This information serves as the base information for our soil and water conservation work.

Mr. Kelley updated the commission on the staffing plan that included three Unit Chiefs (Soil Scientist IVs), and 17 other Soil Scientist I-II-IIIs, for a total of 20 full time employees (FTEs) which is down from the 30 FTEs in 1994 plus three other positions. He stated that there are three in each office except for Springfield and Columbia, which house four FTEs each. He pointed out that contract funding

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provides for soil lab data analyses, organization of soils data, and the delivery of soil maps, and data to districts, agencies, and others.

The soil science plan, under which DNR soil scientists are working, specifies that 50 percent of the soil scientists' time is spent updating soil surveys based on Major Land Resource Areas (MLRAs) and the other 50 percent providing soils assistance to districts, landowners, and others with soils data, information, and interpretations. The MLRA projects are designed to target deficiencies, answer questions regarding soil survey information by users and to promote use of the soil survey information. The soils assistance part of the plan focuses on soils education, on-site soils assistance, and customer related map products and information. Next Mr. Kelley provided examples of each of the above.

He stated that they now use the web to deliver and update data. They work closely with the University of Missouri, the Center for Agricultural Resource and Environmental Systems (CARES), and NRCS to make it work. Soils information can be found on the internet at <http://soils.missouri.edu>.

Next, Dennis Potter from NRCS provided information on Soil Survey update work. He stated the soil survey is an inventory of the soil resources. Mr. Potter commented that in 1976 only eight percent of the state's soil information was available. Since that time, they have completed the initial statewide inventory. He said this initial soil survey was done on a county-by-county basis. Mr. Potter stated that a number of people utilize soils information in their planning. He said soil surveys are now updated based on MLRA's.

Mr. Potter informed the commission that the 2007 update projects were based on needs. He met with the partners and discussed where to put their time and efforts.

When asked if the information that a technician brings up when a person goes into an office for a practice is generated from the state, NRCS, or a combination of both, Mr. Potter answered that the databases were not separate. When asked who generates the information entered in the database, Mr. Potter answered it is done as a partnership. When asked why one of the special projects was along the Missouri River, Mr. Potter explained they had not been there since the flood of 1993 and there was a lot of impact to the soils.

John Bowders from the University of Missouri stated the lab process is a joint venture with MDNR, NRCS, and the University of Missouri. The lab process begins with soil scientists getting soil samples to the lab where they produce an

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analysis; those results are given to the soil scientists through the CARES web site and that information is available to the public. He stated the lab is noted for its efficiency. Since the beginning of the lab, they employed more than 240 students and analyzed approximately 5,000 samples annually. The cost per sample is approximately \$80. Other lab's cost approximately \$250 - \$280 per sample. He stated that their lab is nationally recognized as a high quality and high productivity lab.

When asked what percent of the funding for the lab was from the commission, Mr. Bowders estimated 80 – 90 percent.

Bryan Mayhan from the University of Missouri stated the digitization project was in phase 12. They have been digitizing soils since 1998. The data they create is distributed on the web sites (soils.missouri.edu and cares.missouri.edu). The CARES web site was started in 1999, where they offered maps through the internet. He informed the commission of some of the examples of the product. The soils web site began in 2002 because there was too much to manage on the CARES web site. He pointed out that both websites work together to provide information. One provides mapping process and the other solely contains soils information. He stated that in FY04 there were 730,000 hits to the soils web site, in October 2006, there were 1,300,000 hits. Next Mr. Mayhan covered some of the web site pages and the information they provide.

Wyn Kelley reviewed the 2005 "Plan for the Future". The goals are to prevent and reduce soil erosion, and maintain and improve water quality. This is done through the implementation of effective and efficient districts, education and outreach, sound science, understanding land use changes, fiscal accountability and information management, and organizational capacity building. He asked the commission if the 50/50 split between MLRA and soil science assistance was still the best situation for the soil scientists based on the "Plan for the Future".

Sarah Fast stated that these were items that could be reviewed at future meetings, as the commission would wish. She stated that with the renewal of the tax this was a good time to look at the past business plan. She also indicated that copies could be provided to the new commissioners to see if the commission wanted to continue business the way it has been done or if changes were wanted. Elizabeth Brown stated it was a very informative report and she thought it was good to know where research funds were spent. Steve Oetting stated the association had a survey and districts are not using the web information very well. A suggestion

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was that when a district coordinator visits a district they spend 10 – 15 minutes showing them what is available. He thanked the University of Missouri's CARES program because as a farmer he uses it every time he applies chemicals.

Sarah Fast informed the commission that she had received an e-mail from Caryl Radatz from the Missouri Association of Professional Soil Scientists asking for a representative of the commission to attend their annual meeting in January. They are planning to give the commission an award for their support of the soil survey.

2. Missouri Conservation Reserve Enhancement Program (MoCREP) Update

Jeremy Redden presented an update on the Missouri Conservation Reserve Enhancement Program (MoCREP) and the addendum that was signed by the Missouri Department of Agriculture on October 5, 2006.

MoCREP is both state and federally funded support for partnerships for the protection of rural public drinking water reservoirs from nonpoint source pollution. The Missouri Department of Agriculture, Department of Conservation, local soil and water conservation districts, Farm Service Agency (FSA), Natural Resources Conservation Service (NRCS), and DNR have contributed to the administration of the program. MoCREP helps to reduce sediment, nutrients, and herbicides from entering drinking water reservoirs. This is done by taking cropland that is in a specific watershed out of production for 15 years. This reduces the cost of treatment for drinking water and it increases wildlife habitats. MoCREP is eligible to enroll 40,000 acres in these areas.

The Soil and Water Districts Commission has agreed to pay 25 percent cost-share in addition to USDA's 50 percent to implement conservation practice in MoCREP areas. Mr. Redden informed the commission that the Soil and Water Conservation Program had paid out \$200,000 to landowners in MoCREP watersheds and enrolled 14,000 acres in the state. The two watersheds that had the most acres enrolled were Smithville Lake and Long Branch Lake.

Because MoCREP was not going to be able to achieve the original goals by the end of the current farm bill, the committee decided to make changes to the original contract. An agreement was reached with USDA in Washington D.C. The addendum will increase the number of public drinking water supplies eligible to participate in the program, increase the number of Best Management Practices available to landowners, and reduce the total number of acres to 40,000. The Department of Conservation played an important part in the addendum process by

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allotting \$2,000,000 over the next two years to provide incentive payments of \$100 per acre to landowners when they are approved by FSA for their conservation practice.

The MoCREP committee recommended increasing the number of practices that could be utilized to protect drinking water supplies. Some of the practices that were added were Grass Waterways, Vegetative Cover Already Established, Wetland Restoration – Non Flood Plain, Rare and Declining Habitat, Wildlife Habitat Buffer on Pastureland, Wetland Buffer on Pastureland, Bottomland Timber Establishment, and Habitat Buffers.

The committee recommended limiting Establishment of Permanent Native Grasses to 100 acres per landowner. With this limit, whole farms were restricted from enrollment and this will cause the landowners to prioritize their most sensitive acres in the program.

Mr. Redden informed the commission that on October 5, 2006, the addendum was signed and forwarded to Washington D.C.

D. REVIEW/EVALUATION

1. Land Assistance Section

c. Cost-Share

1. Monthly Cost-Share Usage Report

Noland Farmer reported that the usage report shows the districts allocations, amount obligated by each district, the percentage of allocation that each district obligated, the amount each district claimed, and the percentage of allocation each district claimed.

Mr. Farmer reported that in this fiscal year (FY07) the district obligated 41 percent or \$9,900,000 of the \$24,000,000 they were allocated. In FY06, they obligated 40 percent or \$9,300,000 of the \$23,500,000 that they were allocated.

Mr. Farmer reported that for FY07 the districts, as of September 30, had claimed \$1,500,000 compared to \$1,300,000 in FY06.

Mr. Farmer pointed out the districts had been allocated, to date, approximately \$24,000,000 for FY07. It is projected that \$20,000,000 of the allocation would be claimed.

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As of October 31, there had been \$2,900,000 in claims processed. This amount is \$100,000 less than what was projected. The \$2,900,000 was more than the \$2,400,000 that was processed in FY06.

2. District Assistance Section

a. Approval of Second Call FY07 Information/Education Grant Proposals

Jim Plassmeyer presented the commission with a review of the information/education grant. He reported that the grant had \$250,000 available for FY07 proposals.

In the first call there was \$179,352 approved for 21 new projects and 12 multiple year projects. After this, there was \$70,647 not obligated. Mr. Plassmeyer reminded the commission that in June they approved \$40,000 of the grant to be used for the security checks of district employees. It was in August that the commission decided to offer a second call with the limitation that the proposal could only be for the current fiscal year and could not include salaries.

Mr. Plassmeyer stated that the committee received 21 proposals for a total of \$62,098. The committee reviewed the proposals and recommended 15 of the 21 for a total of \$36,139. The committee recommended most of the projects at the requested amount. For the ones that were reduced, the committee felt the amounts were not necessary to complete the project or there was not enough information. Another reason for not recommending them was that some of the proposals were not new to the district or they did not include enough detail of the proposal. Mr. Plassmeyer reported that one district included salary in their budget.

Mr. Plassmeyer stated the committee is recommending more than what was available. Mr. Plassmeyer pointed out that not all of the funds for the security checks would be used. As of October 30, there was only \$25,190 requested for security checks.

When asked what the Warren and Montgomery fishing equipment was for, Mr. Plassmeyer answered it was for farm tours that had different stops for students. One of the stops was a farm pond and they wanted the equipment for the students to fish with and talk to them about water

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quality. He stated the committee felt that might be something they could get assistance for from the Missouri Department of Conservation.

Kathryn Braden made a motion to approve the proposals as recommended by the committee. Leon Kreisler seconded the motion. When asked by the chair, Kathryn Braden, Leon Kreisler, Baughn Merideth, and Elizabeth Brown voted in favor of the motion and the motion pass unanimously.

E. REQUESTS

1. Land Assistance Section Cost-Share

a. Cost-Share

1. Buchanan SWCD – Approve a DSP-3 Application on Acres Enrolled in the Conservation Reserve Program

Ron Redden presented a request from Buchanan Soil and Water Conservation District (SWCD) asking that a landowner be approved for a state cost-share application before the acres expire from the Conservation Reserve Program (CRP).

It is commission policy that the district cannot cost-share on land offered or enrolled in CRP.

Mr. Redden pointed out that this request is not similar to previous requests regarding the use of state cost-share on land offered, enrolled, or just coming out of CRP. Mr. Redden stated the most common requested use of state cost-share in association with CRP land, are situations in which erosion developed on acres during the CRP contract and the landowner either wants cost-share to address erosion while it is in CRP or wants the eroded acres removed out of CRP and use state cost-share. The commission had denied these requests.

Next, Mr. Redden covered the commission's current policy. It is the commission's policy that if erosion is on CRP acres it should not be addressed with state funds or bought out during the contract and then addressed with state funds. He indicated that the commission does allow the use of cost-share to extend an eligible practice on CRP if the eroded area is in its entirety on land adjacent to CRP.

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Mr. Redden stated that the commission has been requested to provide cost-share on CRP land to address erosion, and to provide cost-share to construct practices on land, as soon as it would come out of CRP even when no existing gully or sheet and rill erosion was established. These too have been denied.

On the Buchanan request, the acres of concern do not have gully erosion or excessive soil loss, and the Planned Grazing Systems (DSP-3), which cost-share is being requested for, does not require gully or sheet and rill erosion to be eligible. The board requested they be allowed to approve the landowner to build necessary cross fencing and water distribution. Mr. Redden pointed out that if the board is permitted to approve an application the landowner would be able to begin using the practice soon after the contract expires. Also by approving it, there is a greater assurance the land will remain in permanent grass after the contract expires.

Mr. Redden stated that even though this request is different from previous requests, there is the concern that a precedent will be established in providing cost-share on land still in CRP. Mr. Redden noted that while establishing a precedent, this request is different and the commission could support this change in policy, if desired, without feeling they must expand it later to include other practices.

Mr. Redden pointed out that Farm Service Agency (FSA) currently allows a landowner to make these kinds of improvements (cross fencing and water distribution) to CRP acreage during the last year if the landowner is planning to implement the prescribed grazing practice with Environmental Quality Incentive Program (EQIP).

When asked if a policy change was for applying for the cost-share and getting that approved or actually starting the work on the project, Mr. Redden answered that current policy is that the board cannot approve a cost-share application for any land that has been offered to or enrolled in CRP. The policy change would allow the board's to approve a planned grazing system practice application during the last year of the contract, thereby permitting the landowner to start putting the cross fencing and water distribution lines in place so when the contract did expire, the landowner would be able to use the system sooner. The DSP-3 claim would not be

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approved for payment until the contract period expired. Sarah Fast reiterated the landowner would be allowed to put fences on and a pond if the commission approved the Planned Grazing Systems with Pond (DSP-33) during the last year.

When asked about payment, Sarah Fast answered that it was the commission choice whether to wait for payment until after it was out. When asked if the landowner could apply for the cost-share but not start the work until after the contract expired, Ms. Fast answered the board cannot approve the application until it was out of CRP. She stated that with the commission's current policy, the landowner would have to wait until the land was out of CRP.

Kathryn Braden stated the landowner could make his plans, apply, and sign his papers the day after the land was out of CRP, but she felt that was double dipping, to let the landowner get started and make claim. Ms. Fast stated the issue was if the commission would want to allow the DSP-3 components to be applied during the last year of the contract.

Steve Oetting stated that in regard to conservation, they should consider allowing a landowner to do this. Mr. Redden stated that currently technical people could, during the last year of the CRP contract, work with the landowner to design a planned grazing system that meets the landowner's needs and he can apply for cost-share by signing an application. The landowner can do this now; however, the board cannot approve the application to allow him to start work.

Roger Hansen stated he understood that a landowner could do certain things during the last year of the contract, such as building fences, or a pond; he thought they could even build terraces to get ready for the new conservation system when the contract expires. He informed the commission that CRP regulations allow this. He stated that in EQIP the landowner would be eligible to apply.

Baughn Merideth made a motion to change policy and permit cost-share for DSP-3 only during the last year of the CRP contract with the claim being processed for payment once the acres have expired from the CRP contract. Leon Kreisler seconded the motion. A poll vote was taken. Leon Kreisler, Baughn Merideth, and

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Elizabeth Brown voted in favor of the motion and Kathryn Braden voted against the motion. The motion passed.

b. Special Area Land Treatment (SALT)

1. Stone SWCD – Request an Opportunity to Revise Previous Board’s Watershed Plan and Alter the Timeline for Implementation of the Crane Creek AgNPS SALT Project

Davin Althoff presented a request from Stone Soil and Water Conservation District (SWCD) for an opportunity to revise the previous board’s watershed plan and alter the timeline for implementation of the Crane Creek Agricultural Nonpoint Source (AgNPS) Special Area Land Treatment (SALT) Project. Mr. Althoff pointed out that the previous district staff and board wrote the proposal, and the new staff and board were not comfortable with the current watershed plan.

Mr. Althoff reminded the commission that in February of 2006, they withheld all state funds from the Stone SWCD until the elected board members and employees resigned. Because of this, the AgNPS SALT project was placed on hold until the new board was elected and new staff hired. Mr. Althoff pointed out that due to new board members and staff, a revision of goals probably should be looked upon differently than the management strategy process normally used for reducing goals and personnel.

In a letter dated October 5, 2006, the board asked the commission for an opportunity to revise their watershed plan and alter the timeline for implementation of the SALT project. The revised plan will include a new assessment of water quality concerns and new goals and objectives to address water quality. The board feels that a failure of the current SALT project might hinder landowner trust in the new board.

As of the Fall FY06 reporting period, the SALT project had finished three and half years and had met 24.7 percent progress of goals and objectives. The minimum progress for the seventh reporting period is 23 percent. Mr. Althoff pointed out the eighth reporting period this December; the minimum is 30 percent progress.

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Mr. Althoff reported that the Semi-Annual Program Report for the SALT project had eight main objectives to accomplish over the seven-year life of the project. The objective were 10,000 acres of Erosion Control, 1,664 are completed, 5,502 acres of Pasture Management, 312 completed, 4,000 acres of Riparian Protection, 2.5 accomplished, 1,300 acres of Nutrient Management, 547 completed, 33 information/education events, 28 completed, 9 other practices, none completed, two Waste Management System, none complete, and 1,300 acres of Pest Management, 848 completed.

Next Mr. Althoff covered the importance placed on the objectives.

Mr. Althoff pointed out the board would like to put the project on temporary hold until July 1, 2007, if the board is allowed to revise the watershed plan. This would extend the project until June 30, 2011, which would be four years after the resumption of the project. This would make the project a seven and half year project and would give the district four entire fiscal years to successfully implement the revised project.

The original total for the project was \$750,000; \$470,690.35 is the outstanding amount that would be available for the remaining four yeas of the project if approved by the commission. Mr. Althoff informed the commission that \$21,555 of the remaining amount was obligated SALT cost-share. The board would also like to use \$5,000 for compensation for writing and revising the watershed plan, steering committee meetings, and various training.

Mr. Althoff stated the new board felt a successful project might re-establish a positive relationship between the landowners and the Stone SWCD.

Krissy Chisam from Stone SWCD stated that it would help the district if they were allowed to revise their plan. She informed the commission that they did not have a SALT manager because they do not have any SALT funds available. When asked if the district's request was to revise the plan with more realistic acreage and then present it to the commission before they did anything. Mr. Althoff said this was correct. When asked when the district wanted to have the \$5,000 approved, Mr. Althoff answered the \$5,000 would be compensation for rewriting the plan. Kathryn

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Braden stated the district wanted that approved now to do the work, and Mr. Althoff answered yes. Ms. Braden stated the project would go on for four years after the district brought it back to them in May. Mr. Althoff stated yes if the commission approved it, it would start July 1, but it would only have four years remaining. Ms. Chisam stated that if the project was placed on hold, they would like to be able to continue to administer cost share dollars to landowners in the watershed if they came to the district, but they would not go out and promote cost share at this time. Mr. Althoff stated the thought behind that was so that a landowner would not be penalized if they had an interest in a SALT practice. Dave Baker informed the commission that the extension person felt it was important for the district to be given some time to meet with the landowners in the watershed to develop realistic goals that are achievable.

Kathryn Braden made a motion to allow the district to revise the watershed plan, adjust the timeline for commission consideration at the May 2007 meeting, allow \$5,000 upfront, and allow landowners to apply for cost share in this watershed. Leon Kreisler seconded the motion. When asked by the chair, Kathryn Braden, Leon Kreisler, Baughn Merideth, and Elizabeth Brown voted in favor of the motion and the motion carried unanimously.

a. Cost-Share (Continued)

1. Lawrence SWCD – 24 Additional Months to Utilize the DSP-3 for Landowners Whose Original 48 Months Expired After September 8, 2005

Ron Redden presented a request from Lawrence SWCD requesting cost-share for a Planned Grazing Systems (DSP-3) for a landowner whose 48 months expired in May 2006.

Commission policy states that landowners whose four-consecutive year period for utilizing DSP-3 funds expired on or prior to September 8, 2005 are given an additional 24 months. All others (landowners whose four-consecutive year period expires after September 8, 2005) are limited on only the 48 months after the initial claim is approved.

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Mr. Redden stated the DSP-3 is a demonstration practice used to show economic and environmental benefits of rotational grazing. Because it is a demonstration, it does not require any gully or sheet and rill erosion to be eligible, but it has a commission maximum of \$13,500 and the landowner has 48 months after the board approval of the initial claim to expand the grazing system. It is believed that after that time the landowner would have realized the economic and environmental benefits of the practice and would want to continue without additional financial assistance.

Because of drought conditions, in September 2005 the commission revised the DSP-3 practice to state that any landowner whose four-consecutive year period expired on or prior to that day would be eligible for an additional 24 months. The commission decided that any landowner whose four-consecutive year period ended after that day would be limited to only the four-consecutive year period.

According to the district's letter, the board approved the landowner's DSP-3 claim for \$3,160.93 in May 2002 and he did not use state cost-share for any additional work during his four-consecutive year period. The letter indicates the board would like to give an additional 24 months to the landowner so that he could add to his system. The letter also referenced memorandum 2006-45 that provided information regarding the commission's maximum increase of the practice to \$13,500 and this was not related to the September 2005 policy revision.

Mr. Redden stated that if the commission approved this request, they might want to consider changing their policy from a four consecutive year period to a six consecutive year period for everyone if the commission thought this additional time was necessary to realize the economic benefits of the practice.

Kathryn Braden stated the landowner made his claim in 2002 and had approximately four years to add to the practice and he did not, Mr. Redden answered that was correct. When asked about the four years, Sarah Fast answered the rule was initially set by the commission that allowed the DSP-3 practice as the exception to the excessive erosion requirement and was approved as a demonstration practice. As a demonstration, the Attorney General advised that there needed to be both a time and a dollar limit. Ms.

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Fast reminded the commission that they had raised the dollar limit and increased the time limit with the drought situation.

It was the consensus of the commission to maintain current policy.

b. Special Area Land Treatment (SALT) (Continued)

1. Cape Girardeau SWCD – Request to Increase Personnel Funds by \$6,474

Colleen Meredith presented a request from Cape Girardeau Soil and Water Conservation District (SWCD) to increase personnel funds by \$6,474 for the Hubble Creek Agricultural Nonpoint Source (AgNPS) Special Area Land Treatment (SALT) Project.

Ms. Meredith informed the commission that the project was placed in management strategy on April 30, 2004.

Commission policy states, “If a district decides to revise one or more of their goals during management strategy, personnel funds will be lowered in proportion to the amount of importance lost for the revised goal(s).”

Ms. Meredith stated that staff did not have the authority to approve an increase in personnel funds for a project since it is tied to the project plan that is approved by the commission. According to a letter from the district dated August 18, 2004, they agreed to reduce their personnel budget by \$6,474 in conjunction with reduced goals. In the district’s letter for the current request, the board felt the amount they lost should be reinstated since they had a new conservation practice and are meeting their goals for that practice. The board indicated the addition is necessary to cover personnel costs as they attempt to complete their goals.

Gerald Bryan from the Cape Girardeau SWCD stated that their initial budget had \$34,000 for the last two years for personnel. They had a 319 grant that allowed them to use funds for personnel and not touch their SALT funds. The 319 funds ended this year and they needed the \$34,000 for their personnel costs. He stated they initially asked for \$18,000, but they need \$21,192.33 for their SALT manager position until the end of the project. Kathryn Braden stated their request was for approximately \$6,400. Mr.

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Bryan stated that they really needed \$21,000 to pay the SALT manager's salary until July. When asked at the end of the project if they will have met all their goals, Mr. Bryan answered yes. When asked if they would have money left, Mr. Bryan answered it did not look like there would be any. When asked where the \$21,000 would come from, Mr. Bryan answered it would come from the SALT project funds.

Kathryn Braden made a motion to give the district the funds for the salary to end the project and to move the funds as needed in the amount of \$21,192.33. Baughn Merideth seconded the motion. When asked by the chair, Kathryn Braden, Leon Kreisler, Baughn Merideth, and Elizabeth Brown voted in favor of the motion and the motion carried unanimously.

2. Cape Girardeau SWCD – Add the Pilot Drainage Management Practice to the AgNPS SALT Proposal Being Developed for the Byrd Creek

Colleen Meredith presented a request from Cape Girardeau SWCD asking to add the Cropland Water Quality Management Practice to the proposed Byrd Creek AgNPS SALT Project.

Ms. Meredith stated that for districts that had preliminary SALT applications approved, it was suggested that if they intended to include practices in the final application that were not currently on the list of approved practices for SALT projects, they should send a request to the commission. This will help them to develop a budget and goals and reduce questions by the review committee.

Ms. Meredith reminded the commission that the water drainage management pilot practice for Hubble Creek was approved February 15, 2006. The district was encouraged to perform water quality monitoring for this practice and the district was expected to complete 250 acres for the project area, with 50 of them being completed by June 30, 2006, which they did. The practice consists of lateral lines spaced at regular intervals to drain fields. Water control structure(s) regulates the water table, such as lowering the water for planting and allow for water retention during the growing season. In 2006, the district installed 50 acres and 97 so far for

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2007. The cost-share for 2006 was \$34,052 and \$71,677 for 2007. Ten tons of soil was saved per practice each year.

Next Ms. Meredith compared tile terraces constructed through the AgNPS SALT Program. She pointed out that tile terraces are one of the more costly practices installed. In 2006, 544,803 feet were installed at a cost of \$1,008,424 and 14,305 so far this year at a cost of \$51,971. The tons of soil saved per practice were 1,053 for 2006 and 377 so far this year.

Ms. Meredith informed the commission that the district suggested a cap of \$700 per acre and a limit on lateral line installation of \$0.50 per foot. The installation cost is above and beyond the cost of the trenching. She stated the district letter indicated that they had a waiting list of 570 acres. She stated that at a cost of \$700 per acre this would total approximately \$400,000, and if there were similar interest in the proposed project that it could impact the funding of other AgNPS SALT practices that could be installed

Next Ms. Meredith compared the pilot practice and what Environmental Quality Incentive Program (EQIP) practices involved. She reminded the commission that the maintenance life for state cost-share is limited to 10 years by statute. Other programs require a longer maintenance life due to the high cost of installing the practices.

Sarah Fast stated the request was to add it for planning practices to the district's proposed SALT project. She informed the commission that they had not seen the district's new project; the district would be in competition with all the other SALT projects. When asked about the water quality monitoring, cost, and effectiveness, Ms. Fast answered the evaluation was part of the original intent. When asked if there was monitoring, Ms. Fast answered she was not aware of any monitoring taking place.

Gerald Bryan from Cape Girardeau SWCD stated they had not done any monitoring. He stated they wanted to look at a field that had both tiled and drainage management practices. When they had a field that met these criteria it would be monitored but because it was dry, there was no runoff and there has been no monitoring. He stated that there was scientific data to indicate the amount of

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nutrients leaving the land. When asked if there was a water conservation component in the practice, Stan Murray answered there was a water control structure that controls the amount of water leaving the field.

Baughn Merideth made a motion to approve the board's request to add the practice to the proposed Byrd Creek Project. Kathryn Braden seconded the motion. When asked by the chair, Kathryn Braden, Leon Kreisler, Baughn Merideth, and Elizabeth Brown voted in favor of the motion and the motion carried unanimously.

2. District Assistance Section

a. Supervisor Appointments

1. Ray SWCD

Cody Tebbenkamp presented a request from the Ray Soil and Water Conservation District to appoint Vernon Smithey to fill the unexpired term of Bob Stonner who resigned from the board. Mr. Tebbenkamp stated that Mr. Smithey met all the requirements and criteria to be on the board.

Kathryn Braden made a motion to approve the board's request. Leon Kreisler seconded the motion. When asked by the chair, Kathryn Braden, Leon Kreisler, Baughn Merideth, and Elizabeth Brown voted in favor of the motion and the motion carried unanimously.

b. Christian SWCD – Matching Grant Request

Jim Boschert presented a request from the Christian Soil and Water Conservation District (SWCD) asking to be allowed to use matching grant funds to purchase a vehicle to deliver the district rental equipment.

Mr. Boschert stated the district rents out four no-till drills, a field roller, and a harrow. They felt a vehicle was needed to better serve and protect their landowners and employees. Currently, the district technician delivers the equipment with his own vehicle. Mr. Boschert pointed out the district receives its liability insurance through Missouri Public Entity Risk Management (MOPERM).

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According to the district's letter, the MOPERM representative stated that by using the employee's personal vehicle for district business, the technician was at an unfair risk. The letter stated MOPERM discouraged the use of the private vehicle because of lack of financial protection for the district and the employee; employees do not have sovereign immunity defenses when using their vehicle, inability to monitor vehicle maintenance, inability to implement rules regarding passengers, unauthorized drivers, seat belts, and finally, insurance status could not be monitored.

Mr. Boschert stated the district requested to be allowed to use matching grant funds for the purchase of a vehicle. They felt the need to continue to provide a delivery service for their customers and to retain revenue from the rental. The district felt they could no longer require the use of the employee's vehicle for delivery of equipment. The district felt that if the landowner was required to move the equipment, it would decrease the revenue and if they were required to purchase the vehicle totally, it would also create a hardship on the district.

In a letter from MOPERM, it listed several reasons why personal vehicles should not be used and they discouraged the use of personal vehicles from a risk management view.

Mr. Boschert reminded the commission that they have had other requests for vehicles. The commission has allowed districts that maintain their own office to use matching grant funds to purchase a district vehicle. Other requests that were brought to the commission were denied. The commission felt it was more appropriate to pay mileage for employees and supervisors than to pay for a vehicle. Mr. Boschert informed the commission that a survey was sent to the districts asking them how they made their rental equipment available to landowners. Of the 88 received, 63 had the landowner haul the equipment, nine had the equipment manager use his own vehicle, six said it varied according to the equipment, two had vehicles, and eight did not rent equipment. He pointed out that the two that had a district vehicle; used local funds to purchase it.

Michelle Lee from Christian SWCD pointed out that Natural Resources Conservation Service (NRCS) had further restricted the use of NRCS vehicles by SWCD employees. They are no longer able to use NRCS vehicles to run errands or info/ed activities, the employees have to use

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their personal vehicle. She stated that as far as using local funds or revenue generated from the rental equipment to purchase a vehicle, they use almost all of those funds to match their matching grants. When asked how they were going to raise enough local funds to pay for a vehicle with a matching grant, Ms. Lee answered they had enough revenue from the equipment and some funds in reserve that could be used to match the matching grant. When asked if it was a liability issue before that caused the commission to turn it down, Ms. Fast answered she did not think it was. She stated the commission policy was that it needed to be generated by the equipment rental. Ms. Lee stated they used the revenue to operate.

Leon Kreisler made a motion to deny the request and inform the district that this expense needs to come from the funds generated by the rental equipment. Kathryn Braden seconded the motion. When asked by the chair, Kathryn Braden, Leon Kreisler, Baughn Merideth, and Elizabeth Brown voted in favor of the motion and the motion carried unanimously.

c. McDonald SWCD – District Employee Benefit Grant Request

Jim Boschert presented a request from McDonald SWCD asking that retirement funds for Heath Cobine, that were not claimed last year, be released to the district.

In a letter dated September 12, 2006, the district stated that Mr. Cobine started working for the district in December 2005. The district manager told Mr. Cobine that in order to receive retirement he would have to set up an account with a financial advisor. In April, he had an account set up and was told the funds would be placed in the account. During that time, the district manager quit and the interim manager was not aware of how to pay the retirement account. The interim manager put off paying until he met with the district coordinator and was told to send a letter to the program office indicating that a new employee had started and what benefits they would be using. This letter was sent May 31, 2006, and he waited for a response from the program office. After not receiving one, the district contacted their district coordinator and was told they did not have to wait for a response, they could pay the account. By that time, it was after June 30 and the district could not pay because it was after the end of the fiscal year. Mr. Boschert informed the commission that the district was asking for \$591.60 to be released so they could pay Mr. Cobine's retirement for December 5 through June 30.

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Mr. Boschert informed the commission that when a new employee is hired, the district is told that if the employee wants health insurance or retirement paid by the benefit grant, they need to submit a letter stating who the employee is and the benefits that the employee will be using. When this letter is received in the program office, the funds are set aside for the employee.

Mr. Boschert pointed out that a memorandum, dated June 12, was sent to the districts stating that all fiscal year (FY) 2006 expenses had to be paid on or before June 30. He stated this information is in the operations handbook and the quarterly report handbook.

Mr. Boschert stated that funds for last year were no longer available and the funds for FY07 had been allocated to the districts. He stated if the request was approved it could come from the unused district assistance funds for FY07. Mr. Boschert reminded the commission that they had a request from Stone SWCD asking to pay part of last years expenses from the current fiscal year and the commission approved it. Another option was that the district could pay additional retirement for the employee for FY07 until it is paid in full. The expense could come from Special Area Land Treatment funds, technical services grant, management services grant, of the matching grant program.

Leon Kreisler made a motion to approve the request and allocate the district an additional \$591.60 in their benefit grant. Baughn Merideth seconded the motion. When asked by the chair, Kathryn Braden, Leon Kreisler, Baughn Merideth, and Elizabeth Brown voted in favor of the motion and the motion carried unanimously.

d. Montgomery SWCD – FY08 District Assistance Budget Expansion

Jim Boschert presented a request from Montgomery SWCD regarding the FY08 district assistance budget expansion that was discussed at the previous commission meeting.

At the September commission meeting, it was decided to ask for an increase of \$543,134 for district assistance grant for FY08. The commission also decided how the expansion would be divided. It was decided that districts whose allocation was below \$52,000 would receive enough to bring them to the \$52,000, and those above would receive \$1,000. Mr. Boschert reported that since that meeting the department

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decided they would ask for the \$543,134 over two years. Because of the change, the districts at \$44,000 would receive an increase of \$4,000 for FY08, and those above \$52,000 would receive \$500 for FY08.

In the district's letter dated September 26, 2006, they thanked the commission for considering the increase. The letter also stated that in 1993 additional funds were given using a workload formula. The district hoped the commission might consider allocating the whole amount of the increase by using the formula. The district felt this would spread the allocation more fairly to the district with more workload.

Elizabeth Brown stated she thought this issue was already decided. Sarah Fast informed the commission that the department had preceded with the request and it was in the budget process over a two-year period instead of the one-year period the commission requested. She stated that Montgomery and Warren Counties wanted the commission to review how it would be expended to the districts.

Tom Kremer from Montgomery SWCD stated they felt it was a more fair allocation process to look at the needs of each district rather than a lump sum distribution of the additional funds. Mike Wells from the Department of Natural Resources stated that the department felt an increase of eight percent might throw up a red flag, and they could not support it in one year. He stated that Bill Foster had been asked to work with the commission and the program to reevaluate the district grant process as well as other processes. He thought it would be appropriate to look at how it is done, and possibly put together a task force to look at the process. Steve Oetting stated that the one of the concerns the association had was the establishment of a base amount that would keep two employees. The association's vision for the future was district assistance tied in with the workload of the districts, which is shown by the amount of cost-share being spent. Ms. Brown asked if this satisfied the district's request, Mr. Kremer answered it was what they requested.

F. REPORTS

1. Natural Resources Conservation Services

Roger Hansen informed the commission that Natural Resources Conservation Services was having their Farm Bill Program sign ups for Environmental Quality Incentive Program, Wildlife Habitat Incentives Program, and Wetland Reserve Program. The sign up started on October 1, and continues until November 17.

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Then the applications will be ranked and decisions will be made on which ones will be funded. This decision should be by early January and get as much of the work done as possible by summer.

2. Missouri Association of Soil and Water Conservation Districts

Steve Oetting reminded everyone about the conference at the end of November. He informed the commission that this was the last commission meeting that he would be attending as the Missouri Association of Soil and Water Conservation Districts' representative because he retiring from the board. He thanked the commission, the department, University of Missouri, and staff for their time.

3. Department of Agriculture

Matt Boatright informed the commission that there was a livestock systems grant program that is in effect for 30 counties primarily in the west and west central areas. The sign up for this is currently taking place and it will close November 17. In addition, Agriculture was excited about Environmental Quality Incentive Program (EQIP) funds for tree screen proposals, and that will close November 17. Mr. Boatright reminded everyone about the Governor's Conference on Agriculture that will take place at Tan-Tar-A on December 10 and 11.

4. Staff

Ken Struempf updated the commission on the forestry committee the commission appointed at their August meeting. The first meeting was held in Columbia on October 17, at the University of Missouri. He stated that commissioner Braden, Tucker Fredrickson from Department of Natural Resources 319 Program, Doug Wallace from Natural Resources Conservation Service, Wayne Whittmeyer from Department of Conservation, Mike Brown and Dan Engemann from Department of Agriculture, Hank Stelzer from University of Missouri Extension, Gerald Bryan from Cape Girardeau Soil and Water Conservation District, Ken Struempf, and his staff were in attendance. There was discussion on what the charge of the commission had for the committee, which was to evaluate the current forestry incentives and technical work each agency had to offer. Then they reviewed the forestry practices that were developed in 2002, recommendations for the commission concerning the Special Area Land Treatment Program and forestry related practices. The committee also discussed the pilot practices with the group that was offered in the forestry call in 2002. The two practices offered in 2002 were the forestry stewardship implementation incentive and demonstration for logging roads, skid trails, and log landing restoration demonstration sites. He

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stated the group consensus was that participation was low because there was not enough publicity in 2002. The next meeting for the committee is scheduled for November 14 at the Missouri Department of Agriculture.

Next Mr. Struempf updated the commission on Special Area Land Treatment (SALT) training that was offer in New Madrid on October 3, for all the counties in the Boothill that applied for a SALT grant. On October 5, there was training offered in Jefferson City for counties close that were applying. He stated all the districts applying met the commission's new requirement to have at least one board member and one staff member attend.

Sarah Fast stated that Kathryn Braden planned to attend The Cooperative Conservation Partnership Leadership Training Conference in Nashville, TN on November 28 – 30. She asked if the commission would like to support Ms. Braden's attendance of the conference.

Ms. Braden stated she applied early and talked about how this training would be applied. She also stated she applied for a scholarship to help with the costs.

When asked if she would have to get authority to travel out of state, Ms. Fast answered yes.

Baughn Merideth made a motion to approve the request. Leon Kreisler seconded the motion. When asked by the chair, Leon Kreisler, Baughn Merideth, and Elizabeth Brown voted favor of the motion and Kathryn Braden abstained. The motion passed.

Bill Wilson presented a brief overview of the training conference. The theme for the conference is "Celebrate Conservation". He invited everyone to attend. He pointed out that there were some changes in response to surveys that were done. He stated there would be a joint meeting on Monday, November 27, at 10:00 and the regular commission meeting will be at 1:00 on Monday, November 27. Mr. Wilson proceeded to cover the agenda for the conference.

G. DATE OF NEXT MEETINGS

The date of the next commission meeting was set for Monday, November 27, 2006, at Tan-Tar-A, and that is the joint meeting with the association.

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H. ADJOURNMENT

Baughn Merideth moved the meeting be adjourned. Kathryn Braden seconded the motion. Motion approved by consensus at 11:38 a.m.

Respectfully submitted,

Sarah E. Fast, Director
Soil and Water Conservation Program

Approved by:

Elizabeth Brown, Chairman
Missouri Soil & Water Districts Commission

/tm